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PPW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: **KENNETH MYERS**

SERIAL NO.: 10/084,932

FILED: March 1, 2002

JAN 19 2005 FOR: SYSTEM AND METHOD FOR PASSIVE THREE-DIMENSIONAL DATA ACQUISITION

GROUP ART UNIT: 2613

EXAMINER: C. Parsons

ATTY. REFERENCE: MYKE3013/BEU



**COMMISSIONER OF PATENTS**

P.O. Box 1450

Alexandria, VA 22313-1450

*Sir:*

Transmitted herewith is a communication/amendment in the above-identified application.

Small entity status under 37 CFR 1.9 and 1.27 is claimed.  
 No additional fee is required.

The fee, if any, has been calculated as shown below:

Fee Basis	Number of Claims After Amendment	Highest Number Previously Paid For	Extra Claims	Small Entity	Full Fee
Total Claims	-	<sup>1</sup> =	<sup>3</sup>	$\times \$25 =$	$\times \$50 =$
Independent Claims	-	<sup>2</sup> =	<sup>3</sup>	$\times \$100 =$	$\times \$200 =$
<input type="checkbox"/> First Presentation of Proper Multiple Dependent Claim				$+ \$180 =$	$+ \$360 =$
			<b>TOTAL</b>		

<sup>1</sup> If less than 20 enter 20.

<sup>2</sup> If less than 3 enter 3.

<sup>3</sup> If less than 0 enter 0.

Please charge my Deposit Account Number 02-0200 in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is attached.  
 A check in the amount of \$ \_\_\_\_\_ is attached.  
 The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under 37 CFR 1.16 and 37 CFR 1.17 or credit any overpayment to Deposit Account Number 02-0200. A duplicate copy of this sheet is attached.  
 Also enclosed is/are:

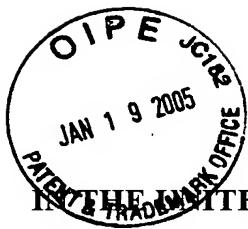
23364

Customer Number  
Phone: (703) 683-0500

DATE: January 19, 2005

*Respectfully submitted,*

  
 Benjamin E. Urcia  
*Attorney for Applicant*  
 Registration Number: 33,805



PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of: ) Group Art Unit: 2613  
Kenneth MYERS )  
Serial Number: 10/084,932 ) Examiner: C. Parsons  
Filed: March 1, 2002 )  
 ) Attorney Docket: MYER3014beu  
 )  
 ) Confirmation No.: 7129

For: **System And Method For Passive Three-Dimensional Data Acquisition**

**AMENDMENT AND RESPONSE**

Honorable Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

This paper is in response to the Official Action dated January 5, 2005.

The Applicant elects **Group I, claims 1-20**, for further prosecution on the merits at this time. The election is without traverse.

The Applicant reserves the right to submit a divisional application directed to non-elected claims 21 and 22.

Having thus complied with the restriction requirement, early and favorable action on the merits is requested.

Respectfully submitted,

BACON & THOMAS, PLLC

By: BENJAMIN E. URCIA  
Registration No. 33,805

Date: January 19, 2005

**Serial Number 10/084,932**

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